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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,410	09/28/2001	Kanji Kawakami	Q66456	2356

7590 09/21/2004
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Washington, DC 20037-3213

EXAMINER

WIMER, MICHAEL C

ART UNIT	PAPER NUMBER
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2828

DATE MAILED: 09/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/964,410

Applicant(s)

KAWAKAMI ET AL.

Examiner

Michael C. Wimer

Art Unit

2828

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 31 August 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

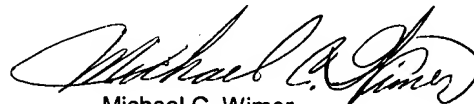
NOTE: _____.

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 9-13.Claim(s) objected to: none.Claim(s) rejected: 1,3-8 and 14-20.Claim(s) withdrawn from consideration: none.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____



Michael C. Wimer
Primary Examiner
Art Unit: 2828

Continuation of 3. Applicant's reply has overcome the following rejection(s): Claims 17 and 18 rejected under 35 USC 103(a) as being unpatentable over Davies et al. Claims 17 and 18 are considered to contain patentable subject matter. Independent Claims would be allowed if they contain this subject matter.

Continuation of 5. does NOT place the application in condition for allowance because: At the outset it is noted that Claim 1 has not been properly rewritten. In line 3, "converger" has been changed to "conductor plate" (compare with previous amendment). If applicant desires this change, then it should be changed according to 37 CFR 1.121; and in line 1, "plate" should be inserted after "conductor" in order for the claim to be clear. Regarding applicant's remarks, the final rejection set forth all structure claimed as being shown by Davies et al., particularly in Claims 1 and 5. Applicant focuses on the remarks in the final rejection where it states that the convergence results due to the sizes of the plate and coil being similar. However, convergence results due to the geometry of the plate 61. It has a through hole in the center of the plate 61 and eddy currents do flow around the perimeter (both inside and outside of the edge) as in applicant's plate 2 shown in Fig. 1. The magnetic flux in Davies et al. does converge through the central aperture/hole as in applicant's Fig. 1. The magnetic flux must pass through the hole and cannot be avoided. The end result in the structure of Davies et al. provides for the magnetic flux to be confined and controlled (col. 4, lines 1-3). although it was stated that the coil and plate are of similar size, it is clear that the plate area is larger than the coil (e.g., diameter). Convergence of the field occurs by virtue of the flux flowing into the aperture/hole.